Case 1:04-cv-11136-GAO Document 83-5 Filed 06/09/2005

Direct Marketing Concepts, Inc.

Memo

To: Joyce Modugno **From:** John J. Maihos

Date: April 11, 2005

Re: Order Confirmation Recordings (Contract Genie)

Gary, Jesse or Frank to receive retraining on Contract Genie.

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt,

A review of our Contract Genie verification system found some blank recordings for orders you placed As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is blank

we have no way to know what was communicated to the customer.

Even though we may have already spoken to you about this, and even though you may feel you have corrected the way you use Contract Genie, we want you to receive personal instruction from us.

Once your re-training is complete, I will receive an email from QC or the management person who helped you.

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job.

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me.

My signature indicates that this memo has been communicated to me

Keinny Empterce on 6 12

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Memo

To: S

Sal Pena

From:

John J Maihos

Date:

April 20, 2005

Re:

Order Confirmation Recordings (Contract Genie)

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt, Gary, Jesse or Frank to receive retraining on Contract Genie.

A review of our Contract Genie verification system found some blank recordings for orders you placed As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is blank we have no way to know what was communicated to the customer

Once your re-training is complete, QC or a manager will sign off that your retraining is complete.

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job.

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me.

My signature indicates that this memo has been communicated to me

2/-RETRAINING COMPLETED ON _2

by JESSE Julbent

Trut 3/055025 - No Autohio Parting, A 3/055751 - No VAID Rocaling)

900 Cummings Center. Suite B07-U Beverly, MA 01915 Tel 978-299-2290 Fax 978-921-0802

Direct Marketing Concepts, Inc.

Memo

To:

Samira Kiwan

From:

John J Maihos

Date:

May 31, 2005

Re:

Order Confirmation Recordings (Contract Genie)

A review of our Contract Genie verification system found a recording that didn't explain the autoship program. In checking another call Contract Genie it was fine, so it's clear that you know how to do the process. Please take care to follow the script on all calls. As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is not complete, we have no way to know what was communicated to the customer.

Please follow the spirit of the script which follows:

"Before I let you go_____, I just want to quickly confirm your order with you, so we are both clear on what you will be receiving."

"You will receive your (1 month, 3 month, six month, 1 year) supply of _______ in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address) We will be billing your credit card (total amount of package) today "

"You have also agreed to sign up for our continuity program, so once your supply is up (1 month, 3 month, 6 month, 1 year) you will automatically receive your re-supply (state frequency) in the mail for_______ (amount of monthly re-supply varies on whatever package deal customer agreed to) "

"Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1 800 215 0063."

"Thank you for your order today and your confirmation invoice number is (give invoice #. not contract genie #)"

Future incomplete Contract Genie recording will lead to further disciplinary action, up to and including loss of your job

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

Direct Marketing Concepts, Inc.

Memo

То:	Richard MacDonald
From:	John J Maihos
Date:	May 31, 2005
Re:	Order Confirmation Recordings (Contract Genie)
A review of our Contract Genie verification system found an order confirmation with no mention of auto ship Ironically the recording was over 15 minutes as you worked through three different orders with the customer. There were also many side conversations that had nothing to do with the order.	
On invoice #31056462, CG #13332365, QC said that you didn't mention the price or the autoship, but in reviewing it, you did both, although you quickly brushed by it and didn't properly follow the script	
On invoice #31056474, CG #31056462, you were again vague on the autoship. It's doubtful that the customer understood the offer.	
As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is incorrect or vague, we have no way to know what was communicated to the customer	
Please fo	flow the spirit of the script which follows:
	"Before I let you go I just want to quickly confirm your order with you, so we are both clear on what you will be receiving."
	"You will receive your (1 month, 3 month, six month,1 year) supply of in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address) We will be billing your credit card (total amount of package) today"
	"You have also agreed to sign up for our continuity program, so once your supply is up (1 month. 3 month. 6 month. 1 year) you will automatically receive your re-supply (state frequency) in the mail for (amount of monthly re-supply varies on whatever package deal customer agreed to) "
	"Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1 300 215 0063."
	"Thank you for your order today and your confirmation invoice number is (give inv #. not contract genie #) "
Future unclear or vague Contract Genie recording will lead to further disciplinary action, up to and including loss of your job	
Our goal is to make sure you have all the tools to do your job correctly (f you have any question, please see me	
Sufal AMulal	
My signature indicates that this memo has been communicated to me	

Direct Marketing Concepts, Inc.

Memo

To:	Amanda Elibero
From:	John J Maihos
Date:	May 31, 2005
Re:	Order Confirmation Recordings (Contract Genie)
the pas	ew of our Contract Genie verification system found empty recordings for orders you placed over st few weeks As you know, we use Contract Genie to establish the legitimacy of an order When ding is blank we have no way to know what was communicated to the customer
I unde	stand that you received retraining, and you demonstrated to me how Contract Genie works.
Please	follow the spirit of the script which follows:
	"Before I let you go, I just want to quickly confirm your order with you, so we are both clear on what you will be receiving"
	"You will receive your (1 month, 3 month, six month, 1 year) supply of in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address). We will be billing your credit card (total amount of package) today."
	"You have also agreed to sign up for our continuity program, so once your supply is up (1 month, 3 month, 6 month, 1 year) you will automatically receive your re-supply (state frequency) in the mail for (amount of monthly re-supply varies on whatever package deal customer agreed to)"
	"Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1 800 215.0063."
	"Thank you for your order today and your confirmation invoice number is (give invoice #_pot_contract genie

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of

Direct Marketing Concepts, Inc.

Memo

То:	Jay Wyshak
From:	John J Maihos
Date:	May 31, 2005
Re:	Order Confirmation Recordings (Contract Genie)
A review of our Contract Genie verification system found some contract genie recordings that didn't fully explain the contents of the customer's order You tend not to include special shipping options or other extras like pH test kits.	
As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is incorrect or vague, we have no way to know what was communicated to the customer	
Please	follow the spirit of the script which follows:
	"Before I let you go, I just want to quickly confirm your order with you, so we are both clear on what you will be receiving."
	"You will receive your (1 month, 3 month, six month, 1 year) supply of in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address) We will be billing your credit card (total amount of package) today "
	"You have also agreed to sign up for our continuity program, so once your supply is up (1 month, 3 month, 6 month, 1 year) you will automatically receive your re-supply (state frequency) in the mail for (amount of monthly re-supply varies on whatever package deal customer agreed to)."
	"Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1 800 215 0063 $^\circ$
	"Thank you for your order today and your confirmation invoice number is (give inv #, not contract genie #)"
	unclear or vague Contract Genie recording will lead to further disciplinary action, up to and ng loss of your job
	pal is to make sure you have all the tools to do your job correctly. If you have any question, see me

Direct Marketing
Concepts, Inc.

Memo

To:

Richard Gentile

From:

John J Maihos

Date:

May 18, 2005

Re:

Contract Genie

A review of our Contract Genie verification system found some questionable recordings for orders you placed. As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is unclear we have no way to know what was communicated to the customer, and the customer is more likely to call to complain, cancelt their order, or worse

Here is a summary of the Contract Genie recordings we have in question:

CG: 12999843 - When taking sales calls, it is imperative that you properly explain the autoship program. On this order

CG: 13299505 - When you are trying to close a deal, you can't give a free "gift" that a customer sees a charge for Instead, you could say "special pricing" as Cathy explained. That way people aren't confused.

CG: 12995415 – Be sure that autoship is understood. The woman seemed a bit confused, and you should have explained things more. She expected that she would call you if she wanted more. You told her to callback, but didn't imply that product would continue.

CG: 13142426 – No excuse. The autoship wasn't mentioned. You say "IF" the person likes it which implies that product won't necessarily continue.

CG. 2505361 - Two bottles were on this order Again, you said "IF" No mention of autoship

CG: 13088123 – Again, "IF" you want to get a discount in the future. You've got to specify that they will continue to get the product

CG: 12973324 – Again you say "IF" you continue to receive it Saying, "If you want to stay on it" isn't the same as saying that the product will be shipped again

Please follow the spirit of the script going forward to eliminate customer confusion and the possibility of backlash

If this type of recording continues, you will receive further disciplinary action, up to and including loss of your job

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Direct Marketing Concepts, Inc.

Memo

To:	Sarah Mehlman
From:	John J. Maihos
Date:	May 28, 2005
Re:	Order Confirmation Recordings (Contract Genie)
A review of our Contract Genie verification system found some blank recordings for orders you placed As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is blank we have no way to know what was communicated to the customer.	
I understand that you have received retraining from Garry Calandro, and you demonstrated to me how Contract Genie works	
Please	follow the spirit of the script which follows:
	"Before I let you go, I just want to quickly confirm your order with you, so we are both clear on what you will be receiving"
	"You will receive your (1 month, 3 month, six month, 1 year) supply of in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address). We will be billing your credit card (total amount of package) today."
	"You have also agreed to sign up for our continuity program, so once your supply is up (1 month, 3 month, 6 month, 1 year) you will automatically receive your re-supply (state frequency) in the mail for(amount of monthly re-supply varies on whatever package deal customer agreed to)."
	"Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1.800.215.0063."
	"Thank you for your order today and your confirmation invoice number is (give invoice #, not contract genie #)."
Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job.	
Our goa see me	I is to make sure you have all the tools to do your job correctly. If you have any question, please
	Met 7 of the contraction

900 Cummings Center, Suite B07-U

Beverly, MA 01915 Tel 978-299-2290 Fax 978-921-0802

Direct Marketing Concepts, Inc.

Memo

To:	Brett Forsythe
From:	John J Maihos
Date:	May 23, 2005
Re:	Order Confirmation Recordings (Contract Genie)
ship pr	ew of our Contract Genie verification system found a recording that didn't fully explain the auto- rogram. As you know, we use Contract Genie to establish the legitimacy of an order. When a ing is not complete, we have no way to know what was communicated to the customer.
Please	follow the spirit of the script which follows:
	"Before I let you go, I just want to quickly confirm your order with you, so we are both clear on what you will be receiving "
	"You will receive your (1 month, 3 month, six month,1 year) supply of in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address) We will be billing your credit card (total amount of package) today "
	"You have also agreed to sign up for our continuity program, so once your supply is up (1 month, 3 month, 6 month, 1 year) you will automatically receive your re-supply (state frequency) in the mail for (amount of monthly re-supply varies on whatever package deal customer agreed to)"
	"Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1 800.215 0063."
	"Thank you for your order today and your confirmation invoice number is (give invoice #, not contract genie #)"
	e incomplete Contract Genie recording will lead to further disciplinary action, up to and including fyour job
	oal is to make sure you have all the tools to do your job correctly. If you have any question, e see me
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Tel 978-299-2290 Fax 978-921-0802

Direct Marketing Concepts, Inc.

Memo

CG# 13274938 CG# 13327411

To: Bruce Deshamps

From: John J Maihos

Date: May 21, 2005

Re: Order Confirmation Recordings (Contract Genie)

A review of our Contract Genie verification system found recordings that didn't fully explain the contents of the package or an included shipping option. As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is not complete, we have no way to know what was communicated to the customer.

Please follow the spirit of the script which follows.

"Before I let you go_____, I just want to quickly confirm your order with you, so we are both clear on what you will be receiving."

"You will receive your (1 month, 3 month, six month, 1 year) supply of ______ in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address) We will be billing your credit card (total amount of package) today "

"You have also agreed to sign up for our continuity program, so once your supply is up (1 month, 3 month, 6 month, 1 year) you will automatically receive your re-supply (state frequency) in the mail for_____ (amount of monthly re-supply varies on whatever package deal customer agreed to)"

"Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1 800 215 0063"

"Thank you for your order today and your confirmation invoice number is (give invoice #, not contract genie #)"

Future incomplete Contract Genie recording will lead to further disciplinary action, up to and including loss of your job

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

Direct Marketing Concepts, Inc.

Memo

To: Paul Fessenden

From: John J Maihos

Date: May 22, 2005

Re: Order Confirmation Recordings (Contract Genie)

CG ± 13254439 CG ± 13166168 CG # 13166168 CG # 1322259

A review of our Contract Genie verification system found an unclear explanation of our auto ship program. As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is incorrect or vague, we have no way to know what was communicated to the customer

The orders we reviewed together were all when you were relatively new, and I know that you have told me that you are now clear on the auto ship program.

Please follow the spirit of the script which follows:

"Before I let you go____, I just want to quickly confirm your order with you, so we are both clear on what you will be receiving..."

"You will receive your (1 month, 3 month, six month,1 year) supply of ________ in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address) We will be billing your credit card (total amount of package) today."

"You have also agreed to sign up for our continuity program, so once your supply is up (1 month, 3 month, 6 month, 1 year) you will automatically receive your re-supply (state frequency) in the mail for______(amount of monthly re-supply varies on whatever package deal customer agreed to)."

"Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1.800.215.0063."

"Thank you for your order today and your confirmation invoice number is (give inv #, not contract genie #)"

Future unclear or vague Contract Genie recording will lead to further disciplinary action, up to and including loss of your job.

Our goal is to make sure you have all the tools to do your job correctly. If you have any question,

-please see me

900 Cummings Center. Suite B07-U Beverly. MA 01915

Tel 978-299-2290 Fax 978-921-0802

Direct Marketing Concepts, Inc.



(C+# 12546954

To: Einda Wigglisworth Christine LIVE

From: John J. Maihos

Date: May 20, 2005

Re: Order Confirmation Recordings (Contract Genie)

Please see me to receive retraining on Contract Genie

A review of our Contract Genie verification system found wrong confirmation codes for the order you placed #26012005 As you know, we use Contract Genie to establish the legitimacy of an order. When a recording has a wrong confirmation number, we cannot track it and have no way to know what was communicated to the customer

Please be more careful when entering contract Genie number because this will help protect your and our company, and assure that the customer is getting what they want

Future incorrect confirmation numbers will lead to further disciplinary action, up to and including loss of your job

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

-My signature indicates that this memo has been communicated to me

RETRAINING COMPLETED ON 5/20/05

by July MAIHES

Direct Marketing Concepts, Inc.

Memo

To: Richard Bertolino

From: John J. Maihos April 11, 2005

Date:

Order Confirmation Recordings (Contract Genie) Re:

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt, Gary, Jesse or Frank to receive retraining on Contract Genie.

A review of our Contract Genie verification system found some blank recordings for orders you placed. As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is blank we have no way to know what was communicated to the customer

Even though we may have already spoken to you about this, and even though you may feel you have corrected the way you use Contract Genie, we want you to receive personal instruction from us.

Once your re-training is complete, I will receive an email from QC or the management person who helped you.

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me.

My signature indicates that this memo has been communicated to me

Retrained by Reank Evans Trans Curans

Direct Marketing Concepts, Inc.

Memo

To:

Sam Cruz

From:

John J. Maihos

Date:

May 17, 2005

Re:

THERESA SAVAGE Order

We listened to the Contract Genie recording for this woman's order, and she clearly asked that it not be processed because another person in the household had just charged something else on their card

The order was processed anyway, and a refund eventually had to be issued because the customer called back angry that the order was processed anyway

This cannot be repeated, and even if you had already processed the order, as you say happened, an email to FIX could have avoided this customer service problem

If this kind of order continues you will be disciplined up to and including loss of your job

If you have a challenge with a customer in the future, please bring it up to your sales manager

immediately

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#13242491

900 Cummings Center. Suite B07-U Beverly, MA 01915

Tel 978-299-2290 Fax 978-921-0802

Direct Marketing Concepts, Inc.

Memo

From:

RE. GC# 1311460 (-C# 13)44/68

To: Debi Donahue

John J Maihos

May 20, 2005 Date:

Order Confirmation Recordings (Contract Genie) Re:

Please see me to receive retraining on Contract Genie

A review of our Contract Genie verification system found some blank recordings for orders you placed As you know, we use Contract Genie to establish the legitimacy of an order When a recording is blank we have no way to know what was communicated to the customer

Once your re-training is complete, QC or a manager will sign off that your retraining is complete

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job

Our goal is to make sure you have all the tools to do your job correctly. If you have any question,

please see me

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RETRAINING COMPLETED ON _ 2/4/6/7

by Tour MAINES

Direct Marketing Concepts, Inc.

Memo

To: Linda Wigglesworth

From: John J Maihos

Date: April 18, 2005

Re: Order Confirmation Recordings (Contract Genie)

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt, Gary, Jesse or Frank to receive retraining on Contract Genie

A review of our Contract Genie verification system found wrong confirmation codes for orders you placed As you know, we use Contract Genie to establish the legitimacy of an order When a recording has a wrong confirmation number, we cannot track it and have no way to know what was communicated to the customer

Once your re-training is complete, QC or a manager will sign off that your retraining is complete

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future incorrect confirmation numbers will lead to further disciplinary action, up to and including loss of your job

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

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Maghaine N

BETRAINING COMPLETED ON THE HISTORY (CANALLY) (CANALLY)

Case 1:04-cv-11136-GAO Document 83-5 Filed 06/09/2005 Page 18 of 30

John Maihos

From: Linda Wigglesworth

Sent: Monday, April 18, 2005 2:32 PM

To: John Maihos

Subject: confirmation on autoship

John, I looked up the invoices They were non auto ship offers, and this is why there were no conf #'s. There were 3 invoices, not 8 Some of the entries on the print-out were duplicates 1 spoke to Matt, gave him the print-out, and he said he would look into it. Thanks LW

Direct Marketing Concepts, Inc.

Memo

To: Donna O'Brien **From:** John J. Maihos

Date: April 29, 2005

Re: Order Confirmation Recordings (Contract Genie)

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt, Gary, Jesse or Frank to receive retraining on Contract Genie

A review of our Contract Genie verification system found some blank recordings for orders you placed As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is blank we have no way to know what was communicated to the customer

Once your re-training is complete, QC or a manager will sign off that your retraining is complete

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job.

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

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RETRAINING COMPLETED ON

Case 1:04-cv-11136-GAO

Tel 978-299-2290 Fax 978-921-0802

Direct Marketing Concepts, Inc.

Filed 06/09/2005

Memo

Date:

To: Yessenia Victoriano

April 12, 2005

From: John J Maihos

Re: Order Confirmation Recordings (Contract Genie)

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt, Gary, Jesse or Frank to receive retraining on Contract Genie

A review of our Contract Genie verification system found some blank recordings for orders you placed As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is blank we have no way to know what was communicated to the customer.

Even though we may have already spoken to you about this, and even though you may feel you have corrected the way you use Contract Genie, we want you to receive personal instruction from us

Once your re-training is complete, I will receive an email from QC or the management person who helped you

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job.

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

My signature indicates that this memo has been communicated to me

RETRAINING COMPLETED ON 4-4-05

Case 1:04-cv-11136-GAO

Direct Marketing Concepts, Inc.

Filed 06/09/2005

Memo

To:

Jessica Johnson

From:

John J. Maihos

Date:

April 12, 2005

Re:

Order Confirmation Recordings (Contract Genie)

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt, Gary, Jesse or Frank to receive retraining on Contract Genie

A review of our Contract Genie verification system found some blank recordings for orders you placed As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is blank we have no way to know what was communicated to the customer

Even though we may have already spoken to you about this, and even though you may feel you have corrected the way you use Contract Genie, we want you to receive personal instruction from us

Once your re-training is complete, I will receive an email from QC or the management person who helped you.

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

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RETRAINING COMPLETED ON 4/

Direct Marketing Concepts, Inc.

Memo

To: Nena Delacruz
From: John J Maihos
Date: April 12, 2005

Re: Order Confirmation Recordings (Contract Genie)

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt, Gary, Jesse or Frank to receive retraining on Contract Genie

A review of our Contract Genie verification system found some blank recordings for orders you placed.

As you know, We use Contract Genie to establish the legitimacy of an order. When a recording is blank we have no way to know what was communicated to the customer.

Even though we may have already spoken to you about this, and even though you may feel you have corrected the way you use Contract Genie, we want you to receive personal instruction from us.

Once your re-training is complete, I will receive an email from QC or the management person who helped you.

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me.

My signature indicates that this memo has been communicated to me

Walander

RETRAINING COMPLETED ON 7/13/65

900 Cummings Center. Suite B07-U

Beverly, MA 01915 Tel 978-299-2290 Fax 978-921-0802

Direct Marketing Concepts, Inc.

Filed 06/09/2005

Memo

To:

Anzilla Arias

From:

John J. Maihos

Date:

April 12, 2005

Re:

Order Confirmation Recordings (Contract Genie)

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt, Gary, Jesse or Frank to receive retraining on Contract Genie

A review of our Contract Genie verification system found some blank recordings for orders you placed. As you know, we use Contract Genie to establish the legitimacy of an order When a recording is blank we have no way to know what was communicated to the customer.

Even though we may have already spoken to you about this, and even though you may feel you have corrected the way you use Contract Genie, we want you to receive personal instruction from us

Once your re-training is complete, I will receive an email from QC or the management person who helped you

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

My signature indicates that this memo has been communicated to me

RETRAINING COMPLETED ON ______

1

Direct Marketing Concepts, Inc.

Memo

To: Camille White **From:** John J Maihos

Date: Apri

April 12, 2005

Re:

Order Confirmation Recordings (Contract Genie)

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt, Gary, Jesse or Frank to receive retraining on Contract Genie

A review of our Contract Genie verification system found some blank recordings for orders you placed. As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is blank we have no way to know what was communicated to the customer.

Even though we may have already spoken to you about this, and even though you may feel you have corrected the way you use Contract Genie, we want you to receive personal instruction from us

Once your re-training is complete, I will receive an email from QC or the management person who helped you.

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job.

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

<u>ionillititute</u>

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RETRAINING COMPLETED ON

by Com Janes



Memo

To: Valerie Holmes
From: John J. Maihos
Date: April 11, 2005

Re: Order Confirmation Recordings (Contract Genie)

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt, Gary, Jesse or Frank to receive retraining on Contract Genie.

A review of our Contract Genie verification system found some blank recordings for orders you placed As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is blank we have no way to know what was communicated to the customer.

Even though we may have already spoken to you about this, and even though you may feel you have corrected the way you use Contract Genie, we want you to receive personal instruction from us.

Once your re-training is complete, I will receive an email from QC or the management person who helped you.

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed. Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job.

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me.

My signature indicates that this memo has been communicated to me

Plated J. R.I.
Return on company 4/9/25

Case 1:04-cv-11136-GAO

Filed 06/09/2005

Memo

Fax 978-921-0802

To:

Tim Lee

From:

John J. Maihos

Date:

April 13, 2005

Re:

Order Confirmation Recordings (Contract Genie)

Please see Soreida Negron, our Quality Control person, or if she is not available, see Simon, Matt, Gary, Jesse or Frank to receive retraining on Contract Genie.

A review of our Contract Genie verification system found some blank recordings for orders you placed As you know, we use Contract Genie to establish the legitimacy of an order When a recording is blank we have no way to know what was communicated to the customer

Once your re-training is complete, QC or a manager will sign off that your retraining is complete.

If you do not receive this retraining within a business day, your access to our sales ordering system will be revoked until the retraining is completed Future missing confirmation recordings will lead to further disciplinary action, up to and including loss of your job.

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

My signature indicates that this memo has been communicated to me

RETRAINING COMPLETED ON 2+12+1

Direct Marketing Concepts, Inc.

Memo

То:	Tim Lee
From:	John J Maihos
Date:	May 21, 2005
Re:	Order Confirmation Recordings (Contract Genie)
Herri	
progran	w of our Contract Genie verification system found an unclear explanation of our autship n. As you know, we use Contract Genie to establish the legitimacy of an order. When a ng is incorrect or vague, we have no way to know what was communicated to the customer.
Please	follow the spirit of the script which follows.
,	Before I let you go, I just want to quickly confirm your order with you, so we are both clear on what you will be receiving"
;	You will receive your (1 month, 3 month, six month,1 year) supply of in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address) We will be billing your credit card (total amount of package) today."
i	"You have also agreed to sign up for our continuity program, so once your supply is up (1 month, 3 month, 6 month, 1 year) you will automatically receive your re-supply (state frequency) nearly the mail for (amount of monthly re-supply varies on whatever package deal customer agreed to)."
á	Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1.800.215.0063."
	Thank you for your order today and your confirmation invoice number is (give invoice #, not contract genie #) "
Future including	unclear or vague Contract Genie recording, will lead to further disciplinary action, up to and gloss of your job
Our goa please s	al is to make sure you have all the tools to do your job correctly. If you have any question, see me
My sign:	ature Indicates that this memo has been communicated to me

Direct Marketing Concepts, Inc.

Memo

То:	Richard MacDonald
From:	John J Maihos
Date:	May 25, 2005
Re:	Order Confirmation Recordings (Contract Genie)
A review of our Contract Genie verification system found two unclear explanation of our auto ship program. You also had three recordings that quality control found acceptable. We need consistency in the Contract Genie, and you need to be sure that when the customer interrupts you, you are able to go back to the script so nothing is left out.	
As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is incorrect or vague, we have no way to know what was communicated to the customer.	
Please	follow the spirit of the script which follows:
	"Before I let you go, I just want to quickly confirm your order with you, so we are both clear on what you will be receiving."
	"You will receive your (1 month, 3 month, six month,1 year) supply of in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address) We will be billing your credit card (total amount of package) today"
	"You have also agreed to sign up for our continuity program, so once your supply is up (1 month, 3 month, 6 month, 1 year) you will automatically receive your re-supply (state frequency) in the mail for (amount of monthly re-supply varies on whatever package deal customer agreed to) "
	"Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1 800 215 0063."
	"Thank you for your order today and your confirmation invoice number is (give inv #, not contract genie #) "
We nee	ed to have all your recordings like the ones that QC has complimented you on. Our goal is to make sure you I the tools to do your job correctly. If you have any question, please see me or your manager
The bad will outweigh the good so be sure you heed this memo. Future problems may lead to further disciplinary action, up to and including loss of your job.	
	31053695, 2594236, 31055289, 31053680 od: 31055292, 31032375 (Auto ship wasn't-mentioned), 2506487 (no recording)

Direct Marketing Concepts, Inc.

Memo

To: Aaron Henderson

John J Maihos From:

May 23, 2005 Date:

Re:

(G# 13324443 GOUD) (6# 1332712) frepH (6+ 13327296 freit (6+ 13327417 freit (6+1332715) Gio! Order Confirmation Recordings (Contract Genie) (# 13) 24735 (... & Factor) 141,

A review of our Contract Genie verification system found some unclear explanations of contents of some packages you sold. You also had a few very good recordings according to our Quality Control department As you know, we use Contract Genie to establish the legitimacy of an order. When a recording is incorrect or vague, we have no way to know what was communicated to the customer.

The orders we reviewed together were all when you were relatively new

Please follow the spirit of the script which follows.

"Before I let you go____, I just want to quickly confirm your order with you, so we are both clear on what you will be receiving

"You will receive your (1 month, 3 month, six month, 1 year) supply of in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address). We will be billing your credit card (total amount of package) today."

"You have also agreed to sign up for our continuity program, so once your supply is up (1 month, 3 month, 6 month, 1 year) you will automatically receive your re-supply (state frequency) in the mail for (amount of monthly re-supply varies on whatever package deal customer agreed to) "

"Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1 800 215 0063 "

"Thank you for your order today and your confirmation invoice number is (give inv #, not contract genie #)"

Contract Genie recordings are very important, and when they indicate that you haven't been clear with a customer, we risk a bad reputation Please be careful to properly review orders with customers so they understand what they are receiving

Our goal is to make sure you have all the tools to do your job correctly. If you have any question, please see me

Direct Marketing Concepts, Inc.

Memo

1 NU# (6:13327950 26/06722 (-6:12728229 GG: 13728229 (G13247327 Gb: 13329104 (6:13329047

To: Amy Elwell

John J. Maihos From:

May 27, 2005 Date:

Re: Order Confirmation Recordings (Contract Genie)

A review of our Contract Genie verification system found three blank recordings and a recording that didn't fully explain the auto ship program. As you know, we use Contract Genie to establish the legitimacy of an order When a recording is not complete, we have no way to know what was communicated to the customer.

You demonstrated the proper Contract Genie procedure so I now that you have been retrained

Please follow the spirit of the script which follows.

"Before I let you go____, I just want to quickly confirm your order with you, so we are both clear on what you will be receiving. "

"You will receive your (1 month, 3 month, six month, 1 year) supply of _ in (*express shipping* 3-5 days or 2-4 weeks) and it is going to be shipped to (confirm address) We will be billing your credit card (total amount of package) today "

"You have also agreed to sign up for our continuity program, so once your supply is up (1 month, 3 month, 6 month, 1 year) you will automatically receive your re-supply (state frequency) in the mail for (amount of monthly re-supply varies on whatever package deal customer agreed to)."

"Is all of this information correct and do you agree to the terms of this offer? (Must get YES) If at any time you want to change, modify, or cancel your order you may do so by calling 1 800 215 0063 "

"Thank you for your order today and your confirmation invoice number is (give invoice #, not contract genie #) "

Future incomplete Contract Genie recording will lead to further disciplinary action, up to and including loss of your job

Our goal is to make sure you have all the tools to do your job correctly. If you have any question,